

Serial No.: 09/981,276
Response to OA of 02/08/2006

Remarks

In the present response, claims 1-16 are presented for examination.

I. Claims Rejection: 35 USC § 112, First Paragraph

Claim 1 is rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Applicants respectfully argue that claim 1 is amended and this rejection is moot.

II. Claims Rejection: 35 USC § 112, Second Paragraph

Claims 1, 3, 5-9, and 11-13 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Each of these claims is amended. Applicants respectfully ask the Examiner to withdraw the rejections.

III. Claim Rejections: 35 USC § 102

Claims 1 – 3, 8, 9, 14, and 15 are rejected under 35 U.S.C. §102(e) as being anticipated by USPN 6,947,992 (Shachor). Applicants respectfully traverse.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See MPEP § 2131, also, *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Since Shachor neither teaches nor suggests each element in the rejected claims, these claims are allowable over Shachor.

The independent claims recite numerous limitations that are not taught or suggested in Shachor. Applicants provide examples with respect to claim 1.

As one example, claim 1 recites a session state information managing system that “stores and distributes session state information to the application servers without requiring the application and web servers to store any session state information to process requests.” Shachor clearly does not teach or suggest these recitations. In fact, Shachor teaches away from such recitations.

In Shachor, the session ID includes a server ID to identify the server previously handling the session (7: 37-40). The router routes HTTP requests to the server

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responsible for handling the session. In turn, each server stores in a cache the session state information for previous sessions. Shachor does not have a session state information managing system. Instead, each server receives and manages its own sessions. Further, each server stores its own previous session state information in a cache. In Shachor, the servers are required to store previous session state information to process future HTTP requests that belong to the same session (see 7: 64 – 8: 7). Thus, Shachor does not teach or suggest that its servers process session requests without being required to “store any session state information to process requests.” The servers in Shachor indeed store session state information to process HTTP requests.

Shachor does teach that if a server's cache does not include the correct session state information, then the server fetches such information from the session holder (7: 57-59). In this instance, the server's cache may not have accurate or updated session state information (8: 2-5). In any event, the servers in Shachor first review session state information stored in their respective caches for the correct session state information. Thus, Shachor does not teach or suggest that its servers process session requests without being required to “store any session state information to process requests.”

As another example, claim 1 recites a session state information managing system that is separate from the application and web servers. Shachor does not teach or suggest a separate session state information managing system. Instead, Shachor teaches that session requests are sent from the router directly to the application servers that previously handled the request. If the server does not have the correct session information, then the server retrieves information from a session holder. Nowhere does Shachor teach or suggest a session state information managing system that is separate from the servers. In Shachor, each server manages its own session state; a separate session state information managing system does not exist.

For at least these reasons, the independent claims and all their dependent claims are allowable over Shachor.

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V. Claim Rejections: 35 USC § 103

Claims 4-7, 10-13, and 16 are rejected under 35 USC § 103(a) as being unpatentable over Shachor in view of USPN 6,405,264 (Jindal). Applicants respectfully traverse.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143.

Applicants assert that the rejection does not satisfy any of the criteria of MPEP § 2143. By way of example, as noted in Section IV, Shachor does not teach or suggest all of the independent claims. Jindal fails to cure the deficiencies of Shachor. Thus, for at least these reasons, claim 4-7, 10-13, and 16 are allowable over Shachor in view of Jindal.

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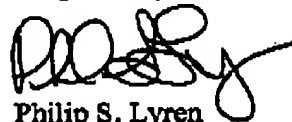
CONCLUSION

In view of the above, Applicants believe all pending claims are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to Philip S. Lyren at Telephone No. 832-236-5529. In addition, all correspondence should continue to be directed to the following address:

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CERTIFICATE UNDER 37 C.F.R. 1.8

The undersigned hereby certifies that this paper or papers, as described herein, is being transmitted to the United States Patent and Trademark Office facsimile number 571-273-8300 on this 8th day of May, 2006.

By


Name: Carrie McKerley